

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:07-CR-00058-BR

UNITED STATES OF AMERICA

v.

KEITH OXENDINE

ORDER

This matter is before the court on two letters defendant recently wrote to the court, (DE ## 138, 148), as well as the government's motion to hold defendant's 28 U.S.C. § 2255 motion in abeyance pending two decisions of the Fourth Circuit Court of Appeals, (DE # 132).

In his letters, defendant requests that any information about him and this case be removed from the prison law library computer. This court has no control over what information is posted on any computer within a prison's law library. The court only has control over the documents available via its electronic filing system. Defendant refers to one document in his case which contains confidential information, and the court will have that document placed under seal. Otherwise, to the extent the letters could be deemed motions, they are DENIED. The Clerk is DIRECTED to place the court's 12 June 2013 order, (DE # 113), under seal.

Turning to the government's motion, at the time of its filing, defendant was proceeding *pro se* on his § 2255 motion. After the response time had run, the Office of the Federal Public Defender entered a limited appearance on behalf of defendant and filed a notice indicating that it joins defendant in his § 2255 motion. (DE ## 140, 141.) Neither defendant himself nor the Federal Public Defender filed a response to the government's motion. For good cause shown, the motion is ALLOWED. It is hereby ORDERED that defendant's § 2255 motion is placed in abeyance pending the decisions in United States v. Walker, No. 15-4301 (4th Cir.), and United

States v. Simms, No. 15-4640 (4th Cir.).

This 17 October 2016.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge